

**REMARKS**

This reply is submitted in response to the Office Action dated June 4, 2004, citing objections to claims 1-23 due to informalities, and rejections to claims 11-15, 17, and 20 under 35 U.S.C. § 112 second paragraph, claims 16-19 as being unpatentable over Padovani et al. (U.S. Patent No. 6,574,211) in view of Yeung et al. (U.S. Patent No. 6,438,613), and claims 21-23 as being unpatentable over Keen (U.S. Patent No. 5,664,091) in view of Arimilli et al. (U.S. Patent No. 6,671,712).

**Claims objections due to informalities**

Claims 1-23 are objected to due to informalities. Claims 1, 7, 8, 11, 16, 19, and 21 have been amended to correct the informalities due to antecedent basis.

**Claims rejections under 35 U.S.C. § 112, second paragraph**

Claims 11-15, 17, and 20 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 11 is rejected due to lack of antecedent basis for "said receiving node", "the first receiving node", and "the transmitting node". Claim 17 is rejected due to lack of antecedent basis for "said output buffer". Claim 20 is rejected due to lack of antecedent basis for "the adjacent receiving node". These claims have been amended to correct this language.

Claims 1-15 and 20 are now in condition for allowance in view of the above amendments.

**Claim rejections under 35 U.S.C. § 103(a)**

Claims 16-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Padovani et al. (U.S. Patent No. 6,574,211) in view of Yeung et al. (6,438,613). For the reasons below, among others, the combined teachings of the references is not believed to render obvious the subject matter of the present claims.

At the outset, independent claim 16 is directed to a digital data system comprising inter alia a plurality of nodes interconnected by at least one link, where the nodes communicate message packets on the link between a first and second node. The message packet has a format that includes a plurality of symbols, where the message packet is aligned in relation to word

boundaries. An IDLE state control symbol is sent from the transmitting node to the receiving node to reduce the rate of data flow in the link, while communications otherwise continue between those nodes.

Padovani does not teach or suggest, among other things, sending a control symbol to reduce the rate of data flow. Padovani instead teaches a reverse link that supports variable data transmission rates. The data from the mobile stations can always be transmitted at the lowest rate, but must be granted permission from the base station to send data at higher transmission rates (col. 29, lines 52-62). Nowhere, however, does Padovani suggest using a control symbol, such as the IDLE state control symbol in claim 16, to force wait states, or pacing idles, when a sending node is not able to transmit a packet as a continuous stream of symbols.

The secondary reference, Yeung, purports to teach a method or apparatus for allowing packet data to be separated over multiple bus targets without affecting bus bandwidth or network performance. Yeung does not remedy the deficiencies of Padovani, specifically that Padovani does not teach sending a control symbol to reduce the transmission rate between the transmitting and receiving nodes.

Dependent claims 17-19 each contain all features and limitations of claim 16, and are allowable for the same, and other, reasons.

Claims 21-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Keen (U.S. Patent No. 5,664,091) in view of Arimilli et al. (U.S. Patent No. 6,671,712). For the reasons below, among others, the combined teachings of the references is not believed to render obvious the subject matter of the present claims.

Independent claim 21 is directed to, among other things, a digital data system comprising adjacent first and second nodes interconnected by a link, which are configured to pass data messages that include at least one message packet, and at least one link-level control symbol, where one of the nodes sends a link level control symbol indicative of a message fragment to prevent the propagation of faulty messages. Keen does not teach a system where either one of the nodes can send a control symbol to indicate a faulty message. Instead, Keen teaches that, in response to a request for status, the receiver node can issue a status response which indicates which data packets are detected as incorrect by the receiver.

The secondary reference, Armilli et al., teaches a data processing system that includes a plurality of nodes, each with at least one agent, and data storage that is accessible to the agents within the nodes, where the nodes are coupled by a non-hierarchical interconnect. Armilli et al., does not remedy the deficiency in Keen, specifically that Keen does not teach a system where either one of the nodes can send a control symbol indicating a faulty message.

Dependent claims 22 and 23 each contain all features and limitations of claim 21, and are allowable for the same, and other, reasons.

**Conclusion**

In view of the above, Applicant respectfully submits that the claimed invention is patentable. Applicant therefore kindly requests consideration of all claims in light of the above remarks and allowance thereof.

The Examiner is also kindly requested to contact the undersigned if such would expedite examination and allowance of the application.

Dated: 9/7/04

Respectfully submitted,  
By \_\_\_\_\_  
David J. Powsner  
Registration No.: 31,868  
NUTTER MCCLENNEN & FISH LLP  
World Trade Center West  
155 Seaport Boulevard  
Boston, Massachusetts 02210-2604  
(617) 439-2000  
(617) 310-9000 (Fax)  
Attorney for Applicant

1357450.1